

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 9,000 SQUARE FEET TO 4,730 SQUARE FEET FOR A PROPOSED HOME; (2) MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 75 FEET TO 55 FEET FOR A PROPOSED HOME; (3) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED HOME AND; (4) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 24 FEET FOR A PROPOSED HOME IN THE R-2 (ONE AND TWO-FAMILY DWELLING DISTRICT); (EMMA MOORE, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Michael Rumer **EXT.** 7398

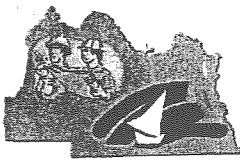
Agenda Date 05/23/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 9,000 SQUARE FEET TO 4,730 SQUARE FEET FOR A PROPOSED HOME; (2) MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 75 FEET TO 55 FEET FOR A PROPOSED HOME; (3) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED HOME AND; (4) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 24 FEET FOR A PROPOSED HOME IN THE R-2 (ONE AND TWO-FAMILY DWELLING DISTRICT); (EMMA MOORE, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 9,000 SQUARE FEET TO 4,730 SQUARE FEET FOR A PROPOSED HOME; (2) MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 75 FEET TO 55 FEET FOR A PROPOSED HOME; (3) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED HOME AND; (4) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 24 FEET FOR A PROPOSED HOME IN THE R-2 (ONE AND TWO-FAMILY DWELLING DISTRICT); (EMMA MOORE, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT:	EMMA MOORE
	LOCATION:	E 55 FT OF W 100 FT OF S 85 FT OF LOT 9 MERRITT STREET
	ZONING:	R-2 (ONE AND TWO-FAMILY DWELLING DISTRICT)

BACKGROUND/ REQUEST	<ul style="list-style-type: none">• THE APPLICANT PROPOSES TO CONSTRUCT A SINGLE-FAMILY HOME ON A VACANT LOT THAT FAILS TO MEET THE MINIMUM LOT SIZE AND LOT WIDTH REQUIREMENTS OF THE R-2 DISTRICT; THE AFOREMENTIONED VARIANCES ARE REQUESTED.• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<p>STAFF HAS DETERMINED THE FOLLOWING:</p> <ul style="list-style-type: none">• THE SUBJECT LOT WAS CREATED AS A PART OF THE HAYMAN'S ADDITION TO ALTAMONTE WHICH WAS PLATTED ON OCTOBER 10, 1923.• POLICY FLU 3.2, ADOPTED ON SEPTEMBER 11, 1991, REQUIRES THE RECOMBINATION OF PROPERTIES WHEN VARIANCES CAN BE NEGATED. ACCORDING TO SEMINOLE COUNTY REAL PROPERTY RECORDS, NO OPPORTUNITY HAS EXISTED SINCE 1991 TO COMBINE THE SUBJECT PROPERTY WITH ABUTTING LOTS SINCE NONE OF THOSE PROPERTIES HAVE BEEN IN COMMON OWNERSHIP. FOR THIS REASON, POLICY 3.2 CAN NOT BE APPLIED TO REQUIRE THE COMBINATION OF THOSE LOTS, PURSUANT TO THE REDUCTION OF THE MINIMUM WIDTH AT BUILDING LINE AND DIMENSIONAL NONCONFORMITY.• THE AFOREMENTIONED CIRCUMSTANCES COMPRISE A HARDSHIP, FOR WHICH THE APPLICANT IS NOT RESPONSIBLE.• A PROPOSED HOME COULD BE BUILT TO COMPLY WITH THE MINIMUM FRONT AND REAR YARD SETBACKS REQUIREMENTS AND STILL PROVIDE REASONABLE USE OF THE PROPERTY.
STAFF RECOMMENDATION	<p>BASED ON THE ABOVE STANDARDS FOR GRANTING VARIANCES AND STAFF FINDINGS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE REQUEST FOR THE MINIMUM LOT SIZE VARIANCE FROM 9,000 SQUARE FEET TO 4,730 SQUARE FEET AND MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 75 FEET TO 55 FEET. STAFF RECOMMENDS THE BOARD DENY THE MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 20 AND THE MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 24 FEET. IF THE BOARD SHOULD DECIDE TO APPROVE ALL OF THEIR REQUESTED VARIANCES, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCES GRANTED SHOULD APPLY ONLY TO THE EXISTING LOT AND HOME AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

REGULATIVE COPY
 APR 01 2005
 APPL. NO. BV 2005-045

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

- VARIANCE** Minimum lot size variance from 9,000 Ft² to 4,730 Ft²
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
 - ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN _____
 - MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Emma moore	Yolonda Harrell-Jones
ADDRESS	56 Salina Street Rochester, NY 14611	6601 K Harbor Cir Orlando, FL 32809
PHONE 1		(Cell) - 407-468-8382
PHONE 2		(Home) - 407-859-1535
E-MAIL		

PROJECT NAME: MERRITT STREET (Lot 9)
 SITE ADDRESS: Merritt Street
 CURRENT USE OF PROPERTY: Vacant
 LEGAL DESCRIPTION: Lot 9 BK B Haymans Add to Altamonte
Plat BK 3 pg 39
 SIZE OF PROPERTY: 55' X 86' acre(s) PARCEL I.D. 07-21-30-509-0B00-009A
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

Handwritten initials and notes:
 [Signature]
 Alt

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 5, 23, 05
 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Yolonda Harrell-Jones 5-1-05
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

MR

ADDITIONAL VARIANCES

VARIANCE 2:

Minimum width at the building line variance from 75' to 55'

VARIANCE 3:

Minimum front yard setback variance from 25' to 20' for a home

VARIANCE 4:

Minimum rear yard setback variance from 30' to 24' for a home

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:

FEE(S): \$ 300.00 COMMISSION DISTRICT 4 FLU/ZONING RMDR/R-2

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS north of merritt st less than 1/2 mile west of the intersection of Merritt st + Macken st.

PLANNING ADVISOR J U DATE 4/1/05

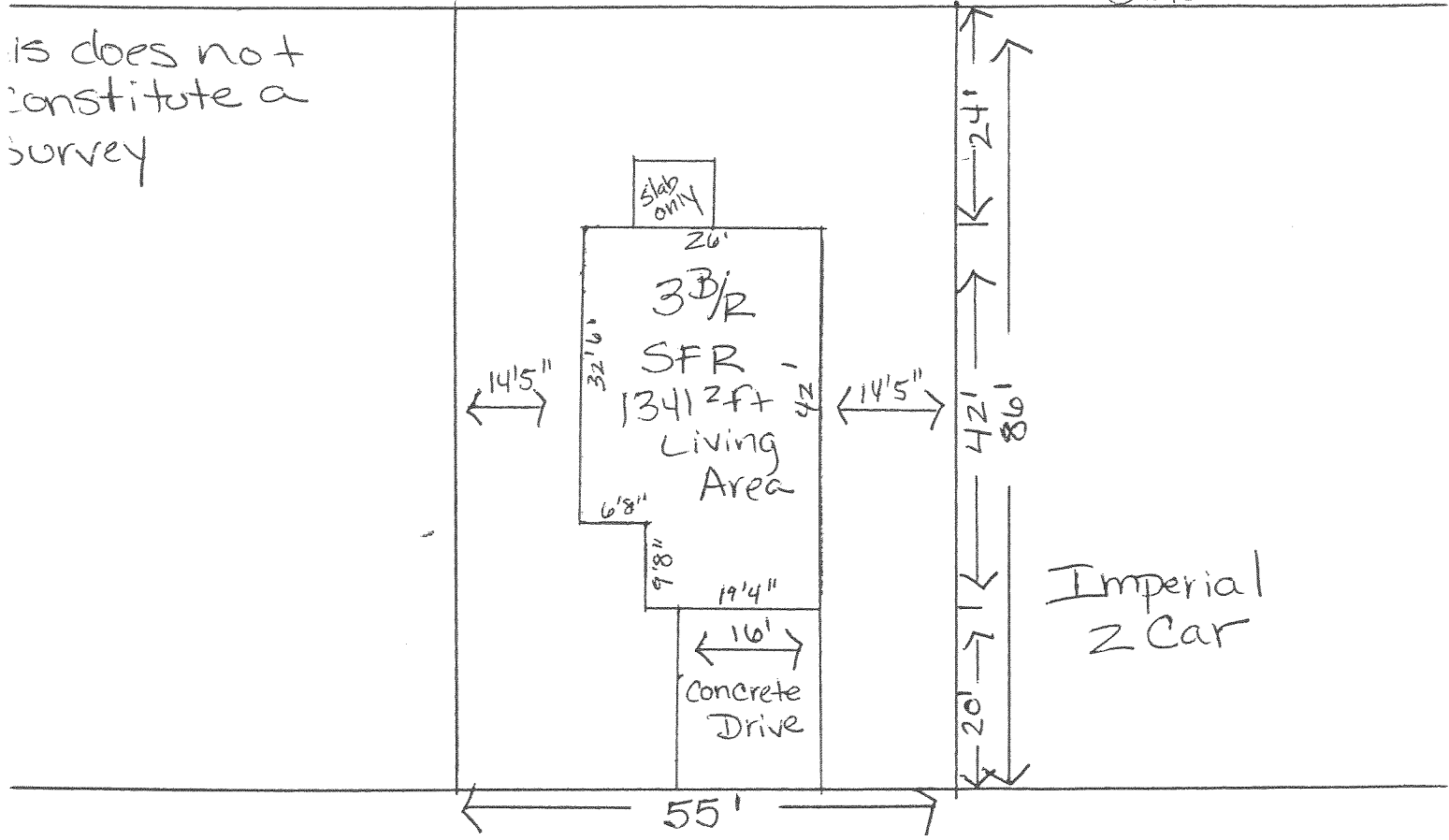
SUFFICIENCY COMMENTS _____

Plot Plan

Lot 9 BK B Haymans Add to Altamonte
Plat BK 3 pg 39
Merritt Street

scale 1" = 20'

is does not
constitute a
survey



Imperial
2 Car

Merritt Street

Melinda Daull
CR0057142

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY, FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407 - 665 - 7508</p>														
<p align="center">GENERAL</p> <p>Parcel Id: 07-21-30-509-0B00-009A Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: MOORE EMMA L PER REP FOR EST Exemptions:</p> <p>Own/Addr: OF LEE BROWN</p> <p>Address: 56 SALINA ST</p> <p>City,State,ZipCode: ROCHESTER NY 14611</p> <p>Property Address: NORTH ST ALTAMONTE SPRINGS 32701</p> <p>Subdivision Name: HAYMANS ADD TO ALTAMONTE</p> <p>Dor: 00-VACANT RESIDENTIAL</p>		<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$5,156</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$5,156</p> <p>Assessed Value (SOH): \$5,156</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$5,156</p> <p>Tax Estimator</p>												
<p align="center">SALES</p> <p>Deed Date Book Page Amount Vac/Imp</p> <p>Find Comparable Sales within this Subdivision</p>		<p align="center">2004 VALUE SUMMARY</p> <p>2004 Tax Bill Amount: \$87</p> <p>2004 Taxable Value: \$5,156</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
<p align="center">LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>FRONT FOOT & DEPTH</td> <td>55</td> <td>86</td> <td>.000</td> <td>125.00</td> <td>\$5,156</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	55	86	.000	125.00	\$5,156	<p align="center">LEGAL DESCRIPTION PLAT</p> <p>LEG E 55 FT OF W 100 FT OF S 85 FT OF LOT 9 BLK B HAYMANS ADD TO ALTAMONTE PB 3 PG 39</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value									
FRONT FOOT & DEPTH	55	86	.000	125.00	\$5,156									
<p><small>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</small></p>														







10/20/05

**Yolanda Harrel-Jones
Merritt St.
Altamonte Springs, FL 32701**




**Seminole County Board of Adjustment
May 23, 2005
Case: BV2005-045
Parcel No: 07-21-30-509-0B00-009A**

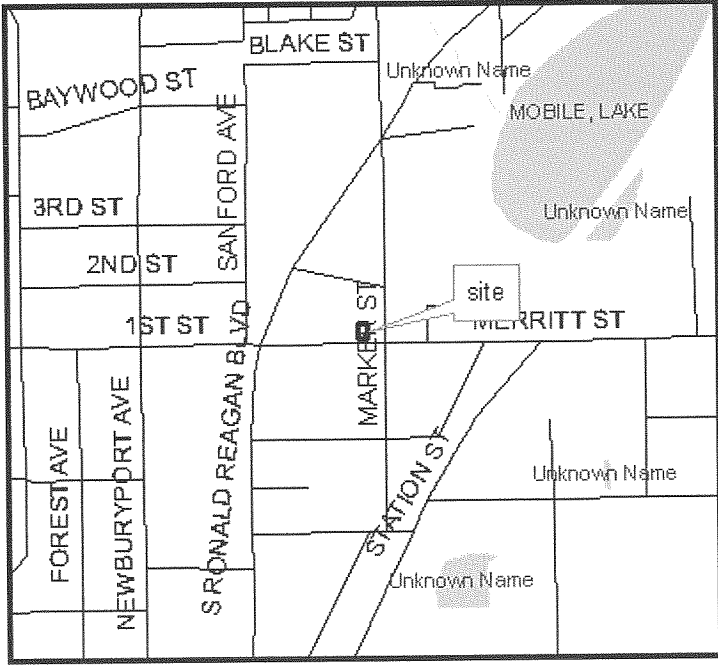
Zoning

-  R-1 Single Fam-8400
-  R-2 One and Two-Family-9000
-  CN Restricted Neighborhood Comm
-  C-1 Retail Commercial
-  C-2 Retail Commercial
-  BV2005-045

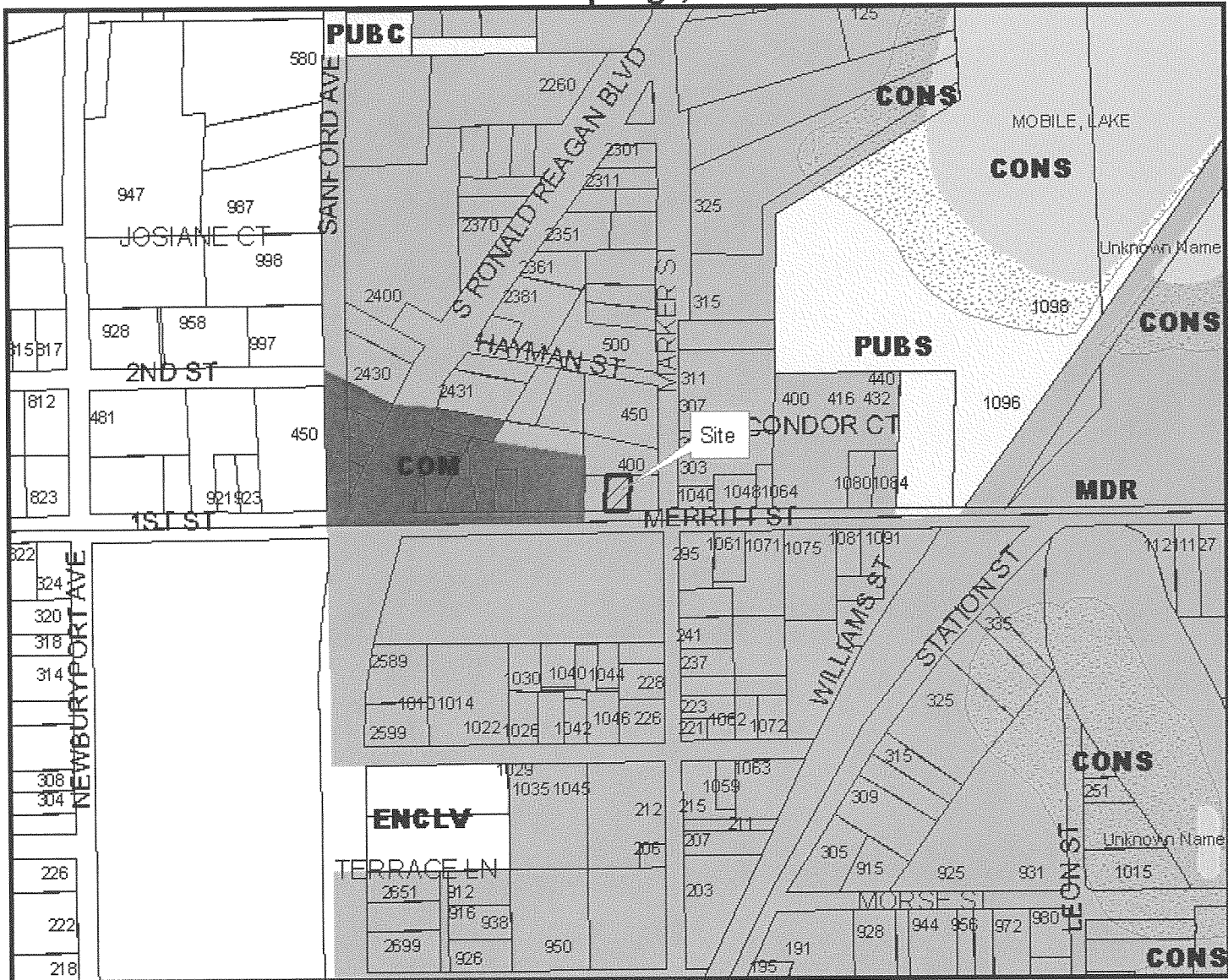
N



0 90 180 360 540 720 Feet



**Yolanda Harrel-Jones
Merritt St.
Altamonte Springs, FL 32701**

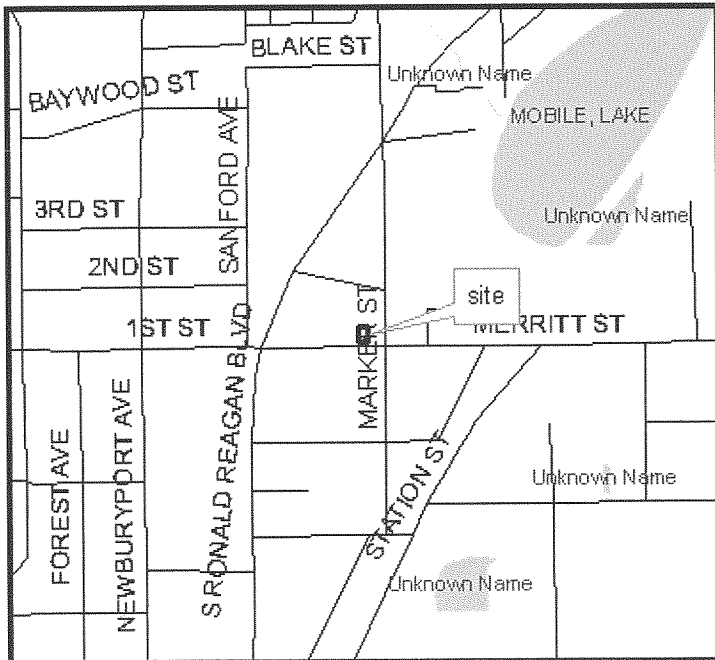


**Seminole County Board of Adjustment
May 23, 2005
Case: BV2005-045
Parcel No: 07-21-30-509-0B00-009A
Future Land Use**

	CONS, PUBS		BV2005-045
	CONS, MDR		
	PUBC, NONE		
	PUBS, NONE		
	MDR, NONE		
	COM, NONE		

N

0 90 180 360 540 720 Feet



March 30, 2005

To Whom It May Concern:

RE: Legal Description: LEG E 55 ft of W 100 ft of S 85 ft of Lot 9 Blk B
Haymans Add to Altamonte PB 3 PG 39

I, Emma Moore grant permission for Yolanda Harrell-Jones of Prospectus, Inc. to apply for a property variance for vacant land on Merritt Street, Altamonte Springs, FL 32701.

Should you have any questions, please contact my Realtor, Rhu Rivers, at (407) 376-7174.

Sincerely,



Emma Moore

SEMINOLE COUNTY DEVELOPMENT ORDER

On May 23, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG E 55 FT OF W 100 FT OF S 85 FT OF LOT 9 BLK B HAYMANS ADD TO
ALTAMONTE PB 3 PG 39

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: EMMA MOORE
56 SALINA STREET
ROCHESTER, NY 14611

Project Name: MERRITT STREET (LOT 9)

Requested Development Approval:

(1) MINIMUM LOT SIZE VARIANCE FROM 9,000 SQUARE FEET TO 4,730 SQUARE FEET FOR A PROPOSED HOME; (2) MINIMUM WIDTH AT BUILDING LINE VARIANCE FROM 75 FEET TO 55 FEET FOR A PROPOSED HOME AND; (3) MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED HOME AND; (4) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 24 FEET FOR A PROPOSED HOME IN THE R-2 (ONE AND TWO-FAMILY DWELLING DISTRICT)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Michael Rumer, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The variance granted will apply only to the existing lot and proposed home as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I **HEREBY CERTIFY** that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: